

REMARKS

By this Amendment, claims 1-3 are cancelled, and claims 4-7 are added. Thus, claims 4-7 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

In item 2 on page 2 of the Office Action, the Examiner indicated that a claim of foreign priority under 35 U.S.C. § 119 was not made in the present application. As indicated in item 18 on the Utility Patent Application Transmittal filed with the application on May 15, 2001 and on page 1 of the specification, the present application is a Rule 1.35(b) divisional of U.S. Application Serial No. 08/956,125 (the parent application), now U.S. Patent No. 6,259,683. The parent application claimed foreign priority to Japanese Patent Application No. 317392/1996, filed November 28, 1996, and Japanese Patent Application No. 341058/1996, filed December 20, 1996. A Claim of Priority formally claiming priority to these foreign applications was filed with the application on May 15, 2001. For the Examiner's convenience, a courtesy copy of the Claim of Priority is submitted herewith. As indicated in the May 15, 2001 Claim of Priority, certified copies of the foreign priority documents were submitted in the parent application and thus are of record in the parent application. Accordingly, the Applicants respectfully submit that all of the required actions have been taken by the Applicants in order to claim the benefit of foreign priority to the above-identified Japanese patent applications. Therefore, the Applicants respectfully request the Examiner to acknowledge the Applicants' claim of foreign priority and the receipt of the certified copies of the foreign priority documents.

In item 3 on page 2 of the Office Action, the Examiner indicated that the Information Disclosure Statements submitted on May 15, 2001, November 20, 2001 and March 5, 2002 are in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. The Applicants thank the Examiner for kindly considering the references listed on the May 15, 2001, November 20, 2001 and March 5, 2002 Form PTO-1449s. However, the Applicants note that the Examiner failed to return an initialed copy of the May 15, 2001 Form PTO-1449 to officially indicate that the references listed thereon have been considered. Accordingly, the Applicants respectfully request the Examiner to return an initialed copy of the May 15, 2001 Form PTO-1449 to indicate that the references listed

thereon have been considered. For the Examiner's convenience, a courtesy copy of each of the May 15, 2001 Information Disclosure Statement and the May 15, 2001 Form PTO-1449 are submitted herewith.

In item 4 on page 3 of the Office Action, claims 1-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Teder et al. (WO 94/30024). This rejection is believed to moot in view of the cancellation of claims 1-3. Furthermore, the Applicants respectfully submit that this rejection is inapplicable to new claims 4-7 for the following reasons.

The present invention provides a handover method in CDMA mobile communications for synchronizing a transmission phase of a first frame signal, which is transmitted from a first base station currently holding a communication channel with a mobile station, and a transmission phase of a second frame signal, which is transmitted from a second base station that is expected to newly set up a communication channel with the mobile station. The handover method of the present invention establishes the synchronization of the transmission phase of the first frame signal by using not only a phase difference that is detected at the mobile station between both of the first and second frame signals but also by using a time stamp.

In particular, the present invention provides, in paragraph [0048] on pages 14-15 of the specification and in Figure 5, the use of a time stamp which may be a sequence number or a miniframe number. A sequence number may be allotted to a single frame or a miniframe constituting part of a signal frame. Further, as described in paragraph [0072] on page 23 of the specification and in Figure 8, the base station 103, for example, does not construct the next frame from a miniframe #5 that has already arrived at the base station 103. Instead, the base station 103 constructs the next frame from a miniframe #4 that arrived at the base station 103 one miniframe before miniframe #5. Accordingly, a time stamp is added in a communication control center connecting base stations to a communication network, as described in paragraph [0048].

New claim 4 recites a handover method in CDMA mobile communications for synchronizing a transmission phase of a first frame signal, which is transmitted from a first base station currently holding a communication channel with a mobile station, and a

transmission phase of a second frame signal, which is transmitted from a second base station that is expected to newly set up a communication channel with the mobile station.

The method of new claim 4 comprises detecting a phase difference at the mobile station between the first frame signal and the second frame signal, and reporting the detected phase difference from the mobile station to the first base station as first phase difference information. The method of new claim 4 also comprises reporting the detected phase difference from the first base station to the second base station as second phase difference information and a time stamp. Further, the method of new claim 4 also comprises synchronizing the transmission phase of the second frame signal with the transmission phase of the first frame signal according to the phase difference information and the time stamp.

Teder et al. discloses a CDMA system in which for aligning transmissions in macro-diversity down-links from more one base station to the same mobile station. Teder et al. discloses that, in order to synchronize the signals of a specific connection in a macro-diversity situation, a mobile station MS measures the difference in time between the reception of a control channel from the surrounding base stations BS1-BS2 and a reference base station BS3. The detected difference in time is then forwarded to a controller RNC in a measurement report (see page 12, line 17 to page 13, line 25 and Figure 4). Teder et al. also discloses that a delay measurement unit 63 and a CCH control channel 64 perform the measurement and the reporting, respectively (see page 20, line 21 to line 21, line 2 and Figure 6).

Teder et al., however, clearly does not disclose or suggest reporting the detected phase difference from the first base station to the second base station as second phase difference information and a time stamp, as recited in new claim 4. Instead, Teder et al., as described above, merely reports a detected difference in time to a controller RNC, which can control the operation of the respective base stations. In fact, Teder et al. does not even contemplate the use of a time stamp. Accordingly, since Teder et al. clearly fails to disclose, suggest or even contemplate a time stamp, Teder et al. also clearly fails to disclose or suggest synchronizing the transmission phase of the second frame signal with the transmission phase of the first frame signal according to the phase difference information and the time stamp, as recited in new claim 4.

Accordingly, Teder et al. clearly fails to disclose or suggest each and every limitation of new claim 4. Therefore, new claim 4 is clearly patentable over Teter et al. since Teter et al. fails to disclose or suggest each and every limitation of claim 4.

Furthermore, it is submitted that the clear distinctions discussed above are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Teder et al. in such a manner as to result in, or otherwise render obvious, the present invention as recited in new claim 4. Therefore, it is submitted that the new claim 4, as well as new claims 5-7 which depend therefrom, are clearly allowable over the prior art as applied by the Examiner.

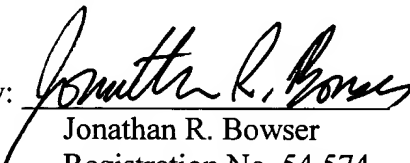
In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

A fee and a Petition for a one-month Extension of Time are filed herewith pursuant to 37 CFR § 1.136(a).

Respectfully submitted,

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March 28, 2005